

London Borough of Islington

Licensing Sub Committee A - 22 October 2019

Minutes of the meeting of the Licensing Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 22 October 2019 at 6.30 pm.

Present: **Councillors:** Sheila Chapman, Satnam Gill and Marian Spall.

Councillor Sheila Chapman in the Chair

- 75 **INTRODUCTIONS AND PROCEDURE (Item A1)**
Councillor Chapman welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.
- 76 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies for absence were received from Councillor Alice Clarke-Perry.
- 77 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Satnam Gill substituted for Councillor Alice Clarke-Perry.
- 78 **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 79 **ORDER OF BUSINESS (Item A5)**
The order of business would be as the agenda.
- 80 **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED
That the minutes of the meeting held on the 22 August 2019 be confirmed as a correct record and the Chair be authorised to sign them.
- 81 **JUDGES DINING ROOM, OLD SESSIONS HOUSE, 24 CLERKENWELL GREEN, EC1R 0NA - NEW PREMISES LICENCE (Item B1)**
The licensing officer reported that opening hours would be until 11.30pm on Sunday to Thursday. Following conditions agreed with the applicant, the noise team had withdrawn their representation.

The applicant stated that this would be an art gallery space with a working studio and a restaurant. The applicant's representative stated that this application was a unique offering. There had been a pre-application consultation with the Friends of Clerkenwell Green and the licensing team. There were 50 proposed licensing conditions and additional conditions proposed by the noise team which had been circulated. These included conditions which stated that alcohol was ancillary to the use of the premises, that the licence would be surrendered when Judges Dining Room vacated the premises, controlled use of the terraces and noise conditions had been agreed. The hours fell within framework hours detailed in licensing policies 5 and 6. The offer was consistent with most exceptions in the cumulative impact policy. There were no concerns from the responsible authorities and mostly positive representations had been received. There would be no licensable activities

Licensing Sub Committee A - 22 October 2019

on the terraces after 9pm. A noise management plan and dispersal policy would be drawn up in order that there would be no disturbance to residents. There would be some vertical drinking as patrons would be standing up to look at art pieces but this was not a nightclub or bar. The objections were not from the closest residents. He referred the Sub-Committee to those representations in objection to the application for consideration.

The interested parties in support stated that they had been impressed with the renovation of the building. They were pleased that the applicant had chosen this area and considered that it was unlikely that issues would arise from this premises. They considered that the applicants were conscientious business operators and strongly supported the application.

In response to questions, the Sub-Committee noted that alcohol was a very small part of the business and off sales were conditioned and agreed with the police. The applicant agreed that there be no regulated entertainment at any time on the roof terrace.

RESOLVED

- 1) That the application for a new premises licence, in respect of Judges Dining Room, Old Sessions House, 24 Clerkenwell Green EC1R 0NA be granted to allow:-
 - a) The provision of films and the on and off sales of alcohol from 10am until 11pm on Sunday to Thursday and from 10am until midnight Friday and Saturday.
 - b) The provision of late night refreshment from 11pm until midnight on Friday and Saturday.
 - c) The above activities until midnight on Sundays immediately preceding Bank Holiday Mondays.
 - d) Opening hours from 9am until 11.30pm Sunday to Thursday and from 9am until half past midnight on Friday and Saturday.
- 2) That conditions detailed on pages 75 to 79 of the agenda be applied to the licence with the deletion of conditions 51-57.
- 3) That the following additional conditions be applied to the licence:-
 - The rooftop terrace B used for smoking purposes shall close at 23:00 Sunday to Thursday and 00:00 on Friday and Saturday. The use of all other terraces for licensable activities shall cease at 21:00 and they shall be cleared of all persons by 22:00.
 - A maximum of 15 guests will be permitted on Terrace B to smoke after 22:00. No drinks shall be permitted after 22:00 on Terrace B.
 - There will be no regulated entertainment on the roof terraces at any time.
 - All moveable furniture shall be fitted with robust rubber buffers or similar on the feet to ensure no sound audible at the nearest residential accommodation when moved.
 - There shall be staff supervision at all times when terraces are used by customers for licensable activities.
 - Non-standard timings for the New Year celebrations shall not apply to the roof terraces. The use of the roof terraces will be permitted until 01:00 only during New Year celebrations. After 01:00 Terrace B will be permitted for smoking only with a maximum of 15 guests only until the end of trading for New Years' celebrations.
 - In the event of a noise complaint substantiated by authorised officers in relation to amplified sound or customer noise from the premises or the terraces the licensee shall reduce all levels of amplified sound until such works are carried out to contain

Licensing Sub Committee A - 22 October 2019

amplified sound and customer noise and re-assess sound levels at the premises to the satisfaction of the Pollution Team.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policies 2 & 3. The premises fall within the Clerkenwell cumulative impact area. Licensing policy 3 creates a rebuttable presumption that applications for the grant or variation of premises licences which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

The Sub-Committee noted that representations from the police and noise team had been withdrawn following conditions being agreed.

The Sub-Committee heard evidence from the applicant that the premises would be an art and gallery space with a working studio and restaurant in a secluded space. It would be a unique offering in the area. The applicant's representative confirmed that there had been considerable pre-application consultation and that 50 licensing conditions had been agreed together with additional conditions from the noise team. These conditions included alcohol being ancillary to the use of the premises, the licence only being applicable to Judges Dining Room Ltd, the control and use of the terraces and the control of noise associated with the premises. The Sub-Committee heard from the applicant's representative that the application fell within the exceptions detailed in licensing policy 3, particularly in relation to the mixed use of the premises, the framework hours sought and the wider cultural offer.

The Sub-Committee heard evidence from two interested parties speaking in support of the application who stated that the applicants were conscientious business operators and that the premises would bring life to the area and had been renovated to a very high standard.

The Sub-Committee concluded that the granting of the licence with the agreed conditions would promote the licensing objectives. The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 5 and 6. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use, with the extensive conditions agreed, meant that the premises would not add to the cumulative impact. The Sub-Committee was satisfied that granting the application with the hours and the conditions proposed was appropriate and proportionate to the licensing objectives and in the public interest.

When making the decision, the Sub-Committee considered licensing policies 5 and 6 in relation to framework hours, 2 and 3 in relation to cumulative impact and 7 and 8 in relation to management standards.

82 ODEON, 419 HOLLOWAY ROAD, N7 6LJ - PREMISES LICENCE VARIATION (Item B2)

The Sub-Committee noted that this item had been deferred.

Licensing Sub Committee A - 22 October 2019

The meeting ended at 7.05 pm

CHAIR